

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**ALDO VERA, JR., as Personal  
Representative of the Estate of Aldo Vera,  
Sr.,**

**Plaintiff,**

**v.**

**THE REPUBLIC OF CUBA**

**Defendant,**

**v.**

**DEUTSCHE BANK TRUST COMPANY  
AMERICAS; COMMERZBANK, AG;  
and RBS CITIZENS, N.A.**

**Garnishees,**

**ALFREDO VILLOLDO, et al.; and  
JEANETTE FULLER HAUSLER, et al.,**

**Intervenors.**

**12 Civ. 1596 (AKH)**

**DECLARATION OF  
ROBERT A. SWIFT**

ROBERT A. SWIFT, declares under penalty of perjury as follows:

1. I am a senior member of the law firm of Kohn, Swift & Graf, P.C. which represents plaintiff, and am admitted *pro hac vice* in this litigation. I am familiar with the proceedings in this litigation. I make this Declaration based on my personal knowledge of the facts set forth herein.

2. Attached to Plaintiff's Memorandum in Support of Vera's Priority and in Opposition to Hausler's Priority to the Assets of the republic of Cuba in Garnishee's Custody are seven exhibits, all true and correct copies of the originals, as follows:

a. Exhibit 1 is a chart I prepared setting forth operative dates useful in determining the priority among three judgment creditors for Cuba as regards the three garnishees. The dates set forth were obtained from (i) docket entries in the cases brought by the three judgment creditors and (ii) a review of relevant filings and dates set forth in the Hausler submissions, ECF #'s 226 and 227.

b. Exhibit 2 is a (expurgated) letter I received from the United States Department of the Treasury dated June 25, 2012 responding to a Freedom of Information Request I made to the Department.

c. Exhibit 3 is (i) the Clerk's levy on Deutsche Bank Trust Company Americas ("DBTCA") dated November 16, 2012 and (ii) the U.S. Marshal's return of service on the writ of execution served on DBTCA on January 4, 2013.

d. Exhibit 4 is a letter I sent to Judge Marrero dated April 29, 2013 with a copy to Judge Hellerstein.

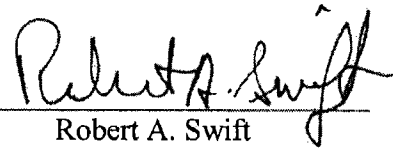
e. Exhibit 5 is a copy of ECF # 248 dated April 6, 2011 which I obtained through PACER in Civil Action No. 09-10289.

f. Exhibit 6 is (i) the Clerk's levy on Commerzbank AG dated November 16, 2012 and (ii) the U.S. Marshal's return of service on the writ of execution served on Commerzbank AG on January 25, 2013.

g. Exhibit 7 is a Notice of Levy Extension dated May 14, 2013 which Commerzbank AG received from counsel for Hausler in Civil Action No. 09-10289. The exhibits to the Notice are not attached.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Philadelphia, Pennsylvania  
on June 17, 2013

  
Robert A. Swift